

2 April 2012

To the Senate Committee,

Enclosed is the submission on behalf of the organisation “Australian Marriage is” regarding the *Marriage Equality Amendment Bill 2010*.

Australian Marriage is (AMi) was formed in 2010 by a group of young professionals and university-aged students who believe marriage is the foundation of family and an indispensable institution for society. AMi views the attempt to redefine marriage as a move that would undermine marriage as a whole and erode its inherent connection to children and the biological family unit.

We support the removal of all unjust discrimination towards people based on their sexual orientation. We hold that “marriage” as the union of a man and a woman is not unjustly discriminatory, but a matter of simple distinction.

Our message is a simple one: marriage is. The legal definition corresponds to a real relationship - unique and distinct in its constitution as a union, principally capable of procreation.

Introduction:

This inquiry has been prompted by a call to remove all discriminatory references to sex and gender from the *Marriage Act 1961* (“the Act”). Of paramount concern is the definition of “marriage” found in section 5 of the Act: **“marriage” means the union of a man and a woman to the exclusion of all others, voluntarily entered into for life.**”

The other proposed changes – to subsections 45(2), 46(1), 72(2), 88EA and Part III of the Schedule – pose similar questions regarding the necessity of a man and a woman for marriage to be entered into; particularly in the language which specifies “husband and wife”.

The challenge to remove all discriminatory references to gender or sex is, at its heart, a definitional objection. Eliminating language which states that two sexes are required for a marital union to be established alters the core tenet of the union described in the Act. Removing the terms “man” and “woman” equates to a *redefinition* of marriage itself.

In the discussions around marriage, and “marriage equality”, there is implicit recognition that there is something which marriage really is; the term “marriage” represents an objective reality. The legal term relates to a specific type of relationship; the question to be asked, therefore, is: *what are the fundamental elements of a marriage?* Those who believe the legal definition of marriage should be redefined or revised (hereafter known as “revisionists”), generally hold that same-sex relationships, where two people of the same sex wish to make a life commitment to one another, are the same as those unions entered into by two people of the opposite sex who make a life commitment to one another. However, it is also true that some revisionists, do not see “for life” as crucial to the definition, nor do all revisionists believe that “marriage” should necessarily be between only two people.

Determining how “marriage” should be defined at law, therefore, requires an examination of whether these relationships are, in fact, the same; or, if obvious differences are admitted, whether these are significant enough to warrant distinction. In either case, a rational basis for marriage as a legal, public institution must be identified.

What is marriage?

To find what is *essential* for a “marital” relationship, one may take the “lowest common denominator” of all marriages; what do all marriages have that make them principally the same?

All squares are rectangles, but not all rectangles are squares. While both rectangles and squares have four, straight sides, squares have an extra quality, which requires that all sides are equal in length. In the same way, all marriages are two person relationships, but not all two-person relationships are marriages, because marriages have an extra quality that makes them uniquely recognisable as a particular type of two-person relationship. That unique quality appertaining to marriage exists inherently, and exclusively, in the union of a man and a woman.

There are two important aspects of the legal definition of marriage, key to evaluating its current social value: what marital union actually is and what public purpose proceeds from this.

The phrase “*between a man and a woman*” in the definition of the Act cannot be examined in isolation from the rest of the definitional passage. To determine what constitutes this specific union, the meaning of “union”, a far broader term, must be understood. There are many different ways of being in union with others, and, common to all “unions” is the aspect of aiming towards a common goal or purpose.

Further, a marital union is understood to be an exclusive one through the language used proscribing it is the union of *a* man and *a* woman. Both those who advocate for the current definition of marriage and revisionists, understand marriage as relating to a sexual relationship. The exclusivity of marriage does not pertain to their leisure or employment, but rather is a matter of sexual exclusivity in bodily union. The question then becomes: how is comprehensive bodily union possible? What is the shared common purpose or goal of marital unity and does it require two persons of the opposite sex?

As humans, we function individually in almost every capacity; we think, sleep, eat, dream, breath, as an independent being. However, there is one bodily function that can only be realised with another person: as a result of the complementarity of their sexual reproductive organs, both males and females require a spouse of the opposite sex to achieve bodily unity. Only in this complementary union of man and woman does the possibility of reproduction arise; only in this distinctive relationship is biological and bodily union achievable. This conspicuous and vital aspect of marriage caused and shaped its public recognition as a legal institution, throughout Australia’s history.

Why govern marriage at all? What is the justification of government involvement in an institution, ostensibly about “love”?

If humans did not reproduce sexually there would be no legal institution of marriage. Often we associate the meaning of marriage with the important and valuable sentiment of love that often accompanies it. However, if marriage was simply about feelings shared between two people, the state would have no need to recognise such a private matter. In fact, many libertarians would argue the government would be beyond its legitimate authority by making such pronouncements of merely private relationships.

However, the legal framework directly flows from the unique and distinctive capacities of marital union. Laws and public institutions should rightly have some identifiable aspect of public value that justifies government involvement. Margaret Somerville, a Canadian ethicist and lawyer, recognises this, noting:

“Through marriage, our society marks out the relationship of two people who will together transmit human life to the next generation and nurture and protect that life. By institutionalising the relationship that has the inherent capacity to transmit life – that between a man and a woman - marriage symbolises and engenders respect for the transmission of human life.”

Furthermore, founded on this natural reality of comprehensive union, marriage predates governments. When our ancestors came together and formed biologically linked units, or families, they were “marrying” well before governments were there to recognise it.

In its capacity as the foundation of the family marriage serves a public purpose. Marriage connects fathers and mothers to one another and their children, recognising the real biological bonds. In doing so, it both affirms and enforces the natural responsibilities that arise for parents. Marriage assists children by linking them to their parents; and assists governments by making clear the responsibility of a mother and father as the first provider of care for their child.

Therefore, there is a clear link between what the distinctive, male-female marital unity is, and the purpose that its public recognition serves. This becomes even more evident when one looks at the shape of marriage in the law – why else would governments set aside certain private relationships as exclusive and permanent?

These aspects connote the significance of the union entered into; however, ultimately, the exclusivity and permanence of marriage are enshrined in law for the benefit of children. While understandings of the importance of these aspects have been affected by a widespread acceptance of divorce, the intention of marriage, both at law and in practice, is one of permanence.

Exclusivity ensures that mothers and fathers perform their primary duty to provide for their children without diversion or competing family units. The requirement for permanence pays heed to the fact that children need the ongoing love and care of their family unit, throughout life.

What would the redefinition of marriage mean?

Redefining marriage affects everyone. Pronouncing that all rectangles will henceforth be known as squares, would result in losing the ability to distinguish the shape that has four equal sides. In the same way, redefining marriage would remove our ability to describe two distinct types of relationships. Further it would change the essential principles of marriage, and we would no longer have a way of distinguishing the relationship that symbolises and makes possible the begetting of future generations.

A shift in the value of Marriage:

Marriage, as a legal institution, is founded in the reality of the male-female union and its potential to generate life. It derives its public mandate for recognition from the public interest of its ability to transmit life.

Law influences culture. Therefore, societal views of marriage will be altered if it is redefined.

At its heart, removing the requirement of a man and a woman for marital union is to remove children and the transmission of life as an essential part of marriages. It is the removal of the phrase that tells us that a square's four sides are necessarily equal in length.

It is very difficult to say what would then be the defining characteristic of a two person relationship called a "marriage". Revisionists have centralised "love" in their campaign, however, there is no reason why this would limit marriages to two persons, and much less reason why the state would be involved in legally recognising what is, and is not "love".

Furthermore, where the government's intervention in this relationship is based on "love" rather than the wellbeing of the children, a dangerous precedent is set; this move, based on the feelings and emotions of the adults, would signify a demotion and degrading of the interests of children.

This abrogation from the true meaning of marriage undermines marriage as the foundation of family, and rather holds it up as institution for the emotional gratification of adults.

Future redefinitions:

Marriage is not the creation of the state. Marriage predates governments and the law. However, if governments take a natural institution in hand and use its name to denote any relationship involving love between two people then they will face continued pressure to further redefine marriage to recognise other relationships. For example, if marriage were redefined as any romantic two person relationship what case could be mounted to maintain discrimination against those in three or more person relationships involving romantic sentiments?

Once the principled, public-interest basis of marriage is removed from law, there are no grounds for the law to fail to continue redefining marriage, so as to remove all discrimination, distinction and, in effect, meaning from the law on marriage. Marriage, proverbially, in aiming to be all things to all people would become nothing to anyone.

Marriage, as an institution which predates governments, is able to be administered, recognised and witnessed by the state; after all, marriage helps governments in their important role of seeing to the wellbeing of future citizens. However, marriage is not the creation of government and therefore, governments cannot alter its essential characteristics.

The importance of parenthood

Revisionists often ostensibly accept that marriage is and will remain about families, even if redefined.

Where marriage is severed from its central purpose of recognising and affirming the male-female reproductive union, its inherent link with parenthood is also severed.

Some have gone as far as suggesting that deliberate government policies that foster situations which separate children from their biological parents are akin to the harsh policies that resulted in “the stolen generations”.

Writing about same-sex marriage and reproductive technologies, Australian-born ethicist Margaret Somerville notes:

“Our societies have adopted adult-centred as compared with child-centred reproductive decision-making. Child-centred means, among other requirements, that we should work from a presumption that, if at all possible, children have a valid claim to be raised by their own biological parents. We must consider the ethics of intentionally creating a situation that is otherwise: it requires justification.

There is an ethical difference between individuals choosing to create such a situation and society authorising or facilitating it... society... has obligations not to facilitate the creation of situations that are not in the “best interests” of children. In short, the compliance of society in helping to create non-traditional families in which children will be raised is not an ethically neutral act.”

There is a consistent trend towards emphasising the rights of adults to children, rather than the child’s right to know and be cared for by their parents. Comprehensive studies have been done demonstrating the emotional and psychological difficulties faced by children who are separated from one of their natural parents deliberately, often before they are born.

There is an intrinsic link between marriage, as between a man and a woman, and parenthood – marriage pays heed to the importance of the biological community which children are born into. Furthermore, it provides for tangible recognition of the deeper existing link, and grounds biological family units, in a commitment of permanence and exclusivity. Redefining marriage would not only undermine these links but would encourage, foster and remove any valid method of distinction between the situations where children were necessarily separated from one of their natural parents.

Religious Liberty:

Revisionists often make the claim that churches would always be exempt from performing or administering same-sex “marriages”, and that religious liberties would be protected. Looking to other jurisdictions, where the same arguments have been made, and marriage has been redefined these protections have not ensued.

Examples of where religious liberties have been significantly infringed are detailed in the final part of this submission “The International Experience”. Ultimately, a society cannot have two working, acceptable definitions of the one thing – and where there are clashes the legal definition is given precedence.

Are there responses to the challenges put forward by revisionists?

There are a number of common challenges put forward by those campaigning for the redefinition of marriage. Outlined below are some of these, and the responses.

1. Homosexual couples are the same as heterosexual couples who are infertile:

The most common response to the rational basis of marriage is to point to the exceptions to the principle – namely, where the marital union of a husband and wife, for whatever reason, does not produce children.

The male-female relationship is principally oriented towards procreation – the reproductive organs achieve a biological unity even if the non-behavioural factors which make procreation possible are not present. Even when the reproductive organs function normally, the sexual, ‘marital act’ does not always produce children. While this marital act is inherently directed towards having children, the achievement of real bodily union does not depend on whether children are produced through it or not.

Two analogies assist us in understanding this concept. Take the dignity of the human being – it is an inherent value, which flows from the *type* of being we are; unlike a rock or an animal, we have higher mental capacities for rationality and personal autonomy. When a person is disabled they may not practically have those particular human functions, however, they certainly have the inherent dignity of a human being. Their particular incapacity is recognised to be a deficiency, particular to that person. So it is with marriage – it is a type of relationship that is made distinct by the capacity for procreation – where that ability does not exist, it is an exception, and does not change the principled reality of the relationship.

A second analogy, made by Girgis, George and Anderson¹ may be drawn with a sports team (in their instance they use baseball); take a cricket team who train and play to win the game. The contours of the sport are directed at scoring runs and not losing wickets. However, whether or not they win the game they are still playing cricket because of the specific type of activity they are engaged in. Though the analogy is limited, in the same way marital, or conjugal, unity is aimed at bearing children, and is marriage whether it achieves this or not.

¹ Girgis S., George R. and Anderson R. T., “What is Marriage?”. *Harvard Journal of Law and Public Policy*, Vol. 34, No. 1, pp. 245-287, Winter 2010. Available at SSRN: <http://ssrn.com/abstract=1722155>.

Furthermore, they also point to the fact that there is public interest in legally recognising marriage as the union of man and woman, whether or not a married couple eventually has children:

“The law about marriage communicates a message about what marriage is, and the state has the obligation to get that message right... To recognise only fertile marriages is to suggest that marriage is merely a means to procreation and child rearing and not what it truly is, namely, a good in itself. Upholding marriage as between a man and a woman is not about restricting marriage to those who can physically have children, but rather about ensuring children are limited to families led by legally married spouses”²

2. Redefining marriage will end unjust discrimination against same-sex persons in our community:

Maintaining distinctions at law that are present in the reality of a matter is both just and appropriate. The definition of marriage does not exclude any adult from part-taking in marriage, it merely illustrates what marriage is; in the same way as the definition of what it is to be indigenous does not unjustly exclude or discriminate against Caucasian Australians, but rather recognises an already existent reality.

Where an individual is not able to be married because they are not attracted to the opposite sex, or for other reasons, such as simply never finding a suitable spouse, or having a mental illness or disability, the law does not discriminate against them or make them lesser citizens in any way. The law simply recognises couples who do enter into marital union.

As noted previously, AMi is committed to opposing forms of unjust discrimination which exist against people who are same-sex attracted. AMi believes that there are people within the community who fail to treat same-sex attracted persons in accordance with their dignity and value; however, redefining marriage will not address these concerns.

A practical reality of the redefining marriage will be that there are individuals not able to accept this in good conscience. These changes would likely further and foster unjust discrimination, through the polarisation of community sentiment on the issue.

3. Without marriage, same-sex couples are not afforded some legal rights:

Following legislative reforms in 2009, there is no difference in the treatment of couples who are recognised as in a “de facto” relationship, whether they be of the same sex or opposite sexes, and married couples.

While there is no difference in the legal rights of two people in a relationship, ‘marriage’ must remain a term that refers to the unique relationship between a husband and wife, firstly, because it is a different type of relationship, and secondly because it serves a separate purpose in attaching mothers and fathers to one another and their shared offspring.

Further to this, it should be noted that marriage is not, primarily, a vehicle for awarding legal rights between two persons – if it were then people in non-romantic relationships who were dependent on one another should also be considered “married”.

² Girgis S., George R. and Anderson R. T., “What is Marriage?”. *Harvard Journal of Law and Public Policy*, Vol. 34, No. 1, pp. 245-287, Winter 2010. Available at SSRN: <http://ssrn.com/abstract=1722155>.

4. Not allowing same-sex couples to 'marry' is the same as the bans that existed on inter-racial marriage.

Revisionists also liken the definition of marriage to anti-miscegenation laws which forbade interracial heterosexual couples from marrying. In looking at this analogy, Girgis, George & Anderson ('What is marriage?', 2010) point out:

"..the analogy fails: anti-miscegenation was about whom to allow to marry, not what marriage was essentially about; and sex, unlike race, is rationally relevant to the latter question. Because every law makes distinctions, there is nothing unjustly discriminatory in marriage law's reliance on genuinely relevant distinctions..."

Opponents to interracial marriage did not deny that marriage (understood as a union consummated by conjugal acts) between a black and a white was possible any more than proponents of segregated public facilities argued that some feature of the whites-only water fountains made it impossible for blacks to drink from them. The whole point of anti-miscegenation laws in the United States was to prevent the genuine possibility of interracial marriage from being realised or recognised, in order to maintain the gravely unjust system of white supremacy.

By contrast, the current debate is precisely over whether it is possible for the kind of union that has marriage's essential features to exist between two people of the same sex. Revisionists do not propose leaving intact the historic definition of marriage and simply expanding the pool of people eligible to marry. Their goal is to abolish the conjugal conception of marriage in our law and replace it with the revisionist conception."

5. Redefining marriage will benefit marriage in general.

Advocates of the redefinition of marriage argue that broadening the definition will benefit the institution of marriage by emphasising the importance of love. However, by changing the essential meaning and purpose of marriage, the value placed on marriage in society is lessened.

By blurring the boundaries between marriage and other forms of romantic relationships and friendships the essential value of a relationship oriented towards producing and raising a family (made with a view of permanence and monogamy) is obscured. Where its inherent connection to children and the family is obscured, the norms (such as fidelity and permanence) of marriage weakened, and people begin questioning the need for marriage at all.

6. Redefining Marriage will benefit children raised by same-sex couples.

As well as separating parenthood from marriage, redefining marriage would further obscure the unique reality of a child's situation where they are raised by two women or two men.

While same-sex attracted people may be very good parents individually, neither are able to offer the entire benefits that a child is entitled to, in having a father and a mother. Furthermore, studies show

there are unique challenges that are faced by both adults and the child where the adult is not the biological parent of the child³.

Therefore, while there are already instances where same-sex couples are raising children, e.g. in foster or adoption situations, these are markedly different from where a marriage links a mother and father to one another and their children.

By obscuring the fact that children raised in the context of marriage between a child's mother and father is a unique situation, the importance of having intact biological families as the optimal situation for children to be raised in, is obscured and its importance undermined.

The International Experience

Outlined above is the reasoning for why AMi opposes the redefinition of marriage. A final claim by revisionists is that none of flow-on effects will actually occur. This is a brief illustration of evidence from other jurisdictions where marriage has been redefined:

- *Redefining marriage once will lead to further redefinitions:*
 - A current example of this is in British Columbia. In 2005, same-sex marriage was legalised. Following this redefinition, court cases and petitions fighting for the decriminalization of polygamy have followed⁴.
 - In the United States numerous leaders such as Gloria Steinem, Barbara Ehrenreich and Cornel West have demanded legal recognition of multiple-partner sexual relationships, signing a document "Beyond Same-Sex Marriage: A New Strategic Vision for all our Families & Relationships"⁵. In the United States alone, in 2009, there were estimated to be around 500,000 of these multiple partner relationships. As long as marriage is seen as merely an emotional love and commitment, inequality will continue to exist and governments will have no way of refusing other types of relationships that want equality in the form of marriage.
- *Redefining marriage, poses a threat to religious liberty:*
 - The redefinition of marriage will impact greatly on one's ability to exercise religious freedom. Following the redefinition of marriage in Massachusetts, Catholic Charities were no longer able to provide adoption services because in good conscience they were unable to adopt children to legally married same-sex couples⁶.

³ Elizabeth Marquardt, Norval D. Glenn, and Karen Clark, 2010 and see *The Challenge to Marriage*.

⁴ Postmedia News, Polygamy reference case could open door to legalizing multiple marriages, IPOLITICS, 21 November 2010 <<http://ipolitics.ca/2010/11/21/polygamy-reference-case-could-open-door-to-legalizing-multiple-marriages/>>.

⁵ Beyond Same-Sex Marriage: A New Strategic Vision For All Our Families & Relationships, beyondmarriage.org (July 26, 2006), http://beyondmarriage.org/full_statement.html. (Referenced in Girgis, George, Anderson (2010) at note 5.)

⁶ Maggie Gallagher, Banned in Boston: The Coming Conflict Between Same-Sex Marriage and Religious Liberty, THE WKLY. STANDARD, May 5, 2006, at 20, <http://www.weeklystandard.com/Content/Public/Articles/000/000/012/191kgwgh.asp>. (Referenced in Girgis, George, Anderson (2010) at note 5).

- A boardwalk pavilion used for religious services and run by the Methodist Church, had its tax-exempt status cancelled by the State of New Jersey because it would not host a same-sex “wedding”⁷.
- The Salvation Army’s decision to refuse to recognise same-sex “domestic partnerships” in its employee benefits policies resulted in the cancellation of its social services contracts with the State of San Francisco valuing \$3.5 million⁸.
- Portland, Maine, threatened Catholic charities with removing funds for city housing and community development if they did not extend spousal employee benefits to same-sex “domestic partners”⁹.
- It was reported that a Californian US District Court held that a student’s religious speech against homosexual acts could be banned and considered as “injurious remarks” that intrude on the rights of other students in the school¹⁰.
- The right to religious freedom is also being challenged in states where there has not yet been a redefinition of marriage. In New Mexico a woman who was unable, for religious reasons, to agree with same-sex partnerships, politely refused to photograph a commitment ceremony for a same-sex couple. She was reported to the Human Rights Commission and charged under the Anti-Discrimination Act and given a fine of over \$6,000¹¹.
- In the US state of Georgia, a counsellor was fired for telling a person in a same-sex relationship that the counsellor’s personal values prevented her from effectively counselling her about issues within her same-sex relationship¹². A federal appeals court dismissed the counsellors appeal¹³.
- In the United Kingdom, there were recent challenges made to civil partnership laws; discussions took place to assess the possibility of these ceremonies being done in religious settings¹⁴.
- *Redefining marriage impacts on the rights of parents to educate their children:*
 - This issue has arisen in Massachusetts, where, following the redefinition of marriage the court ruled that parents were not able to object to their children being taught about same-sex marriage and the moral value of homosexual relationships¹⁵. Moreover, these restrictions will be enforced on teaches, and irrelevant of rightful reservations and beliefs they may have about actively supporting same-sex marriage, they may be required to teach about these relationships. Hiring

⁷ <http://www.nytimes.com/2007/09/18/nyregion/18grove.html>

⁸ ‘An Open Letter from Religious Leaders in the United States to All Americans’, released January 12, 2012 available at <http://www.usccb.org/issues-and-action/marriage-and-family/marriage/promotion-and-defense-of-marriage/upload/Marriage-and-Religious-Freedom-Letter-Jan-12-2012-4.pdf>

⁹ ‘An Open Letter from Religious Leaders in the United States to All Americans’, released January 12, 2012 available at <http://www.usccb.org/issues-and-action/marriage-and-family/marriage/promotion-and-defense-of-marriage/upload/Marriage-and-Religious-Freedom-Letter-Jan-12-2012-4.pdf>

¹⁰ Harper v. Poway Unified Sch. Dist., 345 F. Supp. 2d 1096, 1122 (S.D. Cal.2004).(Referenced in Girgis, George, Anderson (2010) at note 5).

¹¹ Maggie Gallagher, The Carrie Effect: Notes from the frontlines of the Marriage War , COALITION FOR MARRIAGE AND FAMILY, 31 July 2009.

¹² <http://www.wnd.com/2008/07/69780/>

¹³ <http://www.ca11.uscourts.gov/opinions/ops/201011733.pdf>

¹⁴ AFP, Britain to allow gay marriage in church , COURIER MAIL, 13 February 2011.

¹⁵ Parker v. Hurley, 514 F.3d 87 (1st Cir. 2008).

restrictions, limiting a school's ability to hire according to religious values, will also impose on personal rights.

- *Redefining marriage will challenge the right of a child to be raised, where possible, by its biological mother and father.*
 - Numerous sociologists have acknowledged and accepted the difficulties where there is a move away from the biological family structure. Investigations have clearly shown the difficulties faced by children when they go through a divorce¹⁶, experience step-parenting and remarriage, plus the unfavourable consequences for children of sole parents¹⁷.
 - Extensive studies have revealed that where children have been created through sperm donation and ART, there are significant challenges faced by children who are not raised by their biological parents¹⁸. The study involving over 1,400 children (adopted or produced through donor-sperm and ART) reveals the numerous concerns and worries for children who are not raised by their biological parents. This paper stated that *“Donor offspring are significantly more likely than those raised by their biological parents to struggle with serious, negative outcomes such as delinquency, substance abuse, and depression, even when controlling for socio-economic and other factors.”*¹⁹
*“Young adults conceived through sperm donation experience profound struggles with their origins and identities.”*²⁰ The majority of children in this situation often wonder, for example, whether their biological father's (or mother's) family would want to know them.
 - In Australia, recent examples in the media demonstrate this is a real concern²¹; children want to know their biological parents and there is evidence on this struggle associated with the search children go through on numerous internet networks, such as www.anonymousus.org and www.tangledwebs.org.uk.

Australian Marriage is believes that these stories are a small part of the growing anecdotal evidence which shows that where marriage is redefined, governments are unable to stop the numerous flow on effects.

¹⁶ Elizabeth Marquardt, *Between Two Worlds: The Inner Lives of Children of Divorce*, Three Rivers Press, 2005.

¹⁷ Elly Robinson, *Sole-Parent Families: Different needs, or a need for different perceptions*, Family Matters 2009 No. 82. And Claire Cartwright, Virginia Farnsworth, Vicki Mobley, *Relationships with step-parents in the life stories of young adults of divorce*, Family Matters 2009 No. 82.

¹⁸ Elizabeth Marquardt, Norval D. Glenn, and Karen Clark, *My Daddys name is Donor*, A Report Released Internationally by the Commission on Parenthood's Future, 2010, http://www.familyscholars.org/assets/Donor_FINAL.pdf.

¹⁹ Elizabeth Marquardt, Norval D. Glenn, and Karen Clark, *My Daddys name is Donor*, A Report Released Internationally by the Commission on Parenthood's Future, 2010, http://www.familyscholars.org/assets/Donor_FINAL.pdf at page 7.

²⁰ Elizabeth Marquardt, Norval D. Glenn, and Karen Clark, *My Daddys name is Donor*, A Report Released Internationally by the Commission on Parenthood's Future, 2010, http://www.familyscholars.org/assets/Donor_FINAL.pdf at page 6.

²¹ Selma Milovanovic, *Dad, I never knew you*, THE AGE, February 3, 2011, <http://www.theage.com.au/national/dad-i-never-knew-you-20110202-1aduu.html>. See also, Selma Milovanovic, *Legal bid to reveal donor father*, THE AGE, January 27, 2011, <http://www.theage.com.au/victoria/legal-bid-to-reveal-donor-father-20110126-1a5el.html>.

We strongly oppose the current bill as it would lead to an undermining of the institution of marriage.

We thank you for taking our comments into account and look forward to reading the report findings of this committee.

Yours Sincerely,

Australian Marriage is